

CERTIFIED
MAY 13 2004
Municipal Clerk

Entered - 03/30/04 - sb
CL - 04L0204 - LISA CARTER

CLAIM OF: JOY BENTON
P. O. Box 6514
Atlanta, Georgia 30315

04-R-0824

For damages alleged to have been sustained as a result of striking an open construction cut on January 7, 2004 at 3845 Browns Mill Road.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **JOY BENTON** the sum of **\$543.08** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of striking an open construction cut on January 7, 2004 at 3845 Browns Mill Road as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001.

CERTIFIED
MAY 17 2004
COUNCIL PRESIDENT PROTEM

APPROVED: LINDA K. DISANTIS
CITY ATTORNEY

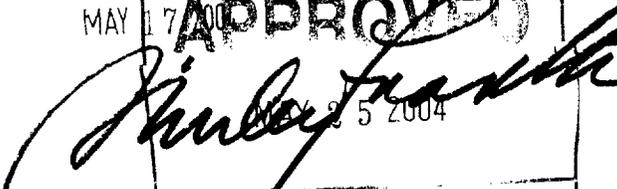
BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 5/16/04
CHAIR: A. G. [Signature]
C. T. [Signature]
[Signature]
Carla Smith

ADOPTED

MAY 17 2004
APPROVED

MAYOR



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

04-R-0824

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Joy Benton** in the sum of **\$543.08** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a **result of striking an open construction cut on January 7, 2004 at 3845 Browns Mill Road** as set forth in the within claim; said sum taken from and charged to Account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Ronda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

MAY 17, 2004
MAY 25, 2004

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0204

Date: April 27, 2004

Claimant /Victim JOY BENTON
BY: (Atty) (Ins. Co.) _____
Address: P.O. Box 6514 Atlanta, Georgia 30315
Subrogation: _____ Claim for Property damage \$ 644.59 Bodily Injury \$ _____
Date of Notice: 03/29/04 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) _____ X
Date of Occurrence 01/07/04 Place: 3845 Browns Mill Road
Department Watershed Management Bureau: _____ Division: Sewer Operations
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that she sustained damages as a result of striking an open construction cut at 3845 Browns Mill Road. An investigation determined that Sewer Operations was working at this location and failed to properly secure its construction cut.

INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

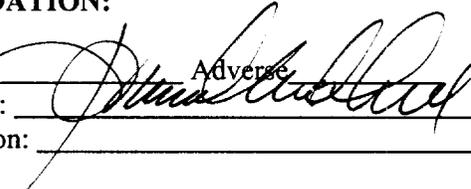
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X
City not involved _____ Offer rejected _____ Compromise settlement X
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ 543.08 Adverse _____ Account charged: 1A01 _____ 2J01 X 2H01 _____
Claims Manager:  Concur/date 04/28/04
Committee Action: _____ Council Action _____

RCS# 5712
5/17/04
2:10 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 1-13 EXCEPT:04-R-0876
04-R-0911 04-R-0835 04-R-0882
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 1

Y Smith	Y Winslow	Y Shook	Y Martin	Y Norwood
Y Starnes	Y Archibong	Y Muller	B Maddox	Y Willis
Y Young	Y Fauver	Y Moore	Y Mitchell	

CONSENT I

3-01-04 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT
1. 04-O-0858	41. 04-R-0813
2. 04-O-0869	42. 04-R-0865
3. 04-O-0372	43. 04-R-0824
4. 04-O-0373	44. 04-R-0825
5. 04-O-0641	45. 04-R-0826
6. 04-O-0642	46. 04-R-0827
7. 04-O-0646	47. 04-R-0828
8. 04-O-0648	ITEMS ADVERSED ON CONSENT
9. 04-O-0650	48. 04-R-0829
10. 04-O-0652	49. 04-R-0830
11. 04-O-0653	50. 04-R-0831
12. 04-O-0656	51. 04-R-0832
13. 04-O-0657	52. 04-R-0833
14. 04-O-0874	53. 04-R-0834
15. 04-O-0488	54. 04-R-0836
16. 04-O-0700	55. 04-R-0837
17. 04-O-0872	56. 04-R-0838
18. 04-O-0660	57. 04-R-0839
19. 04-O-0661	58. 04-R-0840
20. 04-O-0873	59. 04-R-0841
21. 03-R-2228	60. 04-R-0842
22. 04-R-0805	61. 04-R-0843
23. 04-R-0806	62. 04-R-0844
24. 04-R-0808	63. 04-R-0845
25. 04-R-0809	64. 04-R-0846
26. 04-R-0822	
27. 04-R-0859	
28. 04-R-0882	
29. 04-R-0889	
30. 04-R-0369	
31. 04-R-0870	
32. 04-R-0876	
33. 04-R-0815	
34. 04-R-0847	
35. 04-R-0862	
36. 04-R-0863	
37. 04-R-0821	
38. 04-R-0807	
39. 04-R-0811	
40. 04-R-0812	